S. 2352

To designate portions of the Wekiva River and associated tributaries as a component of the National Wild and Scenic Rivers System.

IN THE SENATE OF THE UNITED STATES

APRIL 4, 2000

Mr. Graham introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To designate portions of the Wekiva River and associated tributaries as a component of the National Wild and Scenic Rivers System.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Wekiva Wild and Sce-
- 5 nic River Designation Act".
- 6 SEC. 2. FINDINGS.
- 7 Congress finds that—
- 8 (1) Public Law 104–311 authorized the study
- 9 of the Wekiva River and the associated tributaries of
- 10 Rock Springs Run and Seminole Creek (including

- 1 Wekiwa Springs Run and the tributary of Black
- 2 Water Creek that connects Seminole Creek to the
- Wekiva River) for potential inclusion in the National
- 4 Wild and Scenic Rivers System;
- (2) the study referred to in paragraph (1) de-6 termined that the Wekiva River and the associated 7 tributaries of Wekiwa Springs Run, Rock Springs 8 Run, Seminole Creek, and Black Water Creek down-9 stream of Lake Norris to the confluence with the 10 Wekiva River are eligible for inclusion in the Na-11 tional Wild and Scenic Rivers System based on the 12 free-flowing condition and outstanding scenic, rec-13 reational, fishery, wildlife, historic, cultural, and 14 water quality values of those waterways;
 - (3) the public support for designation of the Wekiva River as a component of the National Wild and Scenic Rivers System has been demonstrated through substantial attendance at public meetings, State and local agency support, and the support and endorsement of designation by the Wekiva River Basin Working Group that was established by the Department of Environmental Protection of the State of Florida and represents a broad cross section of State and local agencies, landowners, envi-

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1	ronmentalists, nonprofit organizations, and rec-
2	reational users, including—
3	(A) agencies and political subdivisions of
4	the State of Florida, including—
5	(i) the Department of Environmental
6	Protection of the State of Florida;
7	(ii) the Department of Transportation
8	of the State of Florida;
9	(iii) the East Central Florida Regional
10	Planning Council;
11	(iv) Orange County, Seminole County,
12	and Lake County, Florida;
13	(v) the Game and Fresh Water Fish
14	Commission of the State of Florida;
15	(vi) the St. Johns River Water Man-
16	agement District; and
17	(vii) the Seminole State Forest;
18	(B) nonprofit organizations, including—
19	(i) the organization known as Friends
20	of the Wekiva;
21	(ii) the Florida Trail Association;
22	(iii) the Nature Conservancy;
23	(iv) the Florida Audubon Society;
24	(v) the Sierra Club; and
25	(vi) the Defenders of Wildlife;

1	(C) the Florida Sport Paddling Club;
2	(D) the University of Central Florida;
3	(E) adjacent landowners;
4	(F) neighboring city agencies; and
5	(G) State and county park concessionaires;
6	(4) the State of Florida has demonstrated a
7	commitment to protect the Wekiva River—
8	(A) by enacting Florida Statutes chapter
9	369, the Wekiva River Protection Act;
10	(B) by establishing a riparian habitat wild-
11	life protection zone and water quality protection
12	zone administered by the St. Johns River Water
13	Management District;
14	(C) by designating the Wekiva River as
15	outstanding Florida waters; and
16	(D) by acquiring State preserve, reserve,
17	and park land adjacent to the Wekiva River
18	and associated tributaries;
19	(5) Lake, Seminole, and Orange Counties, Flor-
20	ida, have demonstrated their commitment to protect
21	the Wekiva River and associated tributaries in the
22	comprehensive land use plans and land development
23	regulations of those counties; and
24	(6) the segments of the Wekiva River, Rock
25	Springs Run, and Black Water Creek described in

1	section 3, totaling approximately 41.6 miles, are in
2	public ownership, protected by conservation ease-
3	ments, or defined as waters of the State of Florida.
4	SEC. 3. DESIGNATION.
5	Section 3(a) of the Wild and Scenic Rivers Act (16
6	U.S.C. 1274(a)) is amended by adding at the end the fol-
7	lowing:
8	"(161) Wekiva river, rock springs run,
9	AND BLACK WATER CREEK, FLORIDA.—
10	"(A) Definitions.—In this paragraph:
11	"(i) COUNCIL.—The term 'Council'
12	means the Wekiva River Coordinating
13	Council established under subparagraph
14	(D).
15	"(ii) Plan.—The term 'Plan' means
16	the comprehensive management plan re-
17	quired to be developed under subsection
18	(d).
19	"(iii) Secretary.—The term 'Sec-
20	retary' means the Secretary of the Interior,
21	acting in consultation with the Governor of
22	the State of Florida.
23	"(B) Designation.—The 45.5 miles of
24	river and tributary segments in Florida, as fol-
25	lows:

1	"(i) Wekiva river, florida.—The
2	14.9 miles of the Wekiva River, from its
3	confluence with the St. Johns River to
4	Wekiwa Springs, to be administered by the
5	Secretary in the following classifications:
6	"(I) From the confluence with
7	the St. Johns River to the southern
8	boundary of the Lower Wekiva River
9	State Preserve, approximately 4.4
10	miles, as a wild river.
11	"(II) From the southern bound-
12	ary of the Lower Wekiva River State
13	Preserve to the northern boundary of
14	Rock Springs Run State Reserve at
15	the Wekiva River, approximately 3.4
16	miles, as a recreational river.
17	"(III) From the northern bound-
18	ary of Rock Springs Run State Re-
19	serve at the Wekiva River to the
20	southern boundary of Rock Springs
21	Run State Reserve at the Wekiva
22	River, approximately 5.9 miles, as a
23	wild river.
24	"(IV) From the southern bound-
25	ary of Rock Springs Run State Re-

1	serve at the Wekiva River upstream
2	along Wekiwa Springs Run to Wekiwa
3	Springs, approximately 1.2 miles, as a
4	recreational river.
5	"(ii) Rock springs run, florida.—
6	The 8.8 miles of Rock Springs Run, from
7	its confluence with the Wekiwa Springs
8	Run to its headwaters at Rock Springs, to
9	be administered by the Secretary in the
10	following classifications:
11	"(I) From the confluence with
12	Wekiwa Springs Run to the western
13	boundary of Rock Springs Run State
14	Reserve at Rock Springs Run, ap-
15	proximately 6.9 miles, as a wild river.
16	"(II) From the western boundary
17	of Rock Springs Run State Reserve at
18	Rock Springs Run to Rock Springs,
19	approximately 1.9 miles, as a rec-
20	reational river.
21	"(iii) Black water creek, flor-
22	IDA.—The 17.9 miles of Black Water
23	Creek from its confluence with the Wekiva
24	River to the outflow from Lake Norris, to

be administered by the Secretary in the
2 following classifications:
3 "(I) From the confluence wit
4 the Wekiva River to approximately .2
5 mile downstream of the Seminol
6 State Forest road crossing, approx
7 mately 4.0 miles, as a wild river.
8 "(II) From approximately .2
9 mile downstream of the Seminol
State Forest road to approximately
11 .25 mile upstream of the Seminol
12 State Forest road crossing, approx
mately .5 mile, as a scenic river.
14 "(III) From approximately .2
mile upstream of the Seminole Stat
Forest road crossing to approximatel
.25 mile downstream of the old rai
road grade crossing (approximate)
river mile 9), approximately 4.5 miles
as a wild river.
21 "(IV) From approximately .2
mile downstream of the old railroa
grade crossing (approximately rive
mile 9) upstream to the boundary of
Seminole State Forest (approximate)

1	river mile 10.6), approximately 1.6
2	miles, as a scenic river.
3	"(V) From the boundary of Sem-
4	inole State Forest (approximately
5	river mile 10.6) to approximately .25
6	mile downstream of the State Road
7	44 crossing, approximately .9 mile, as
8	a wild river.
9	"(VI) From approximately .25
10	mile downstream of State Road 44 to
11	approximately .25 mile upstream of
12	the State Road 44A crossing, approxi-
13	mately .5 mile, as a recreational river.
14	"(VII) From approximately .25
15	mile upstream of the State Road 44A
16	crossing to approximately .25 mile
17	downstream of the Lake Norris Road
18	crossing, approximately 4.8 miles, as
19	a wild river.
20	"(VIII) From approximately .25
21	mile downstream of the Lake Norris
22	Road crossing to the outflow from
23	Lake Norris, approximately 1.1 miles,
24	as a recreational river.

1	"(iv) Seminole creek, florida.—
2	The 3.9 miles of Seminole Creek from its
3	confluence with Black Water Creek to
4	Seminole Spring, to be administered by the
5	Secretary as a wild river.
6	"(C) Administration.—The segments
7	designated by subparagraph (B) shall be ad-
8	ministered by the Secretary as components of
9	the National Wild and Scenic Rivers System,
10	through written cooperative agreements with
11	the State of Florida under section 10(e) and in
12	accordance with subparagraph (E)(i)(I), except
13	that publicly owned land within the boundaries
14	of designated segments shall continue to be
15	managed by the agency or entity having juris-
16	diction over the land.
17	"(D) Wekiva river coordinating coun-
18	CIL.—
19	"(i) Establishment.—The Secretary
20	shall establish the Wekiva River Coordi-
21	nating Council, through the cooperative
22	agreements described in subparagraph
23	(E)(i)(I), to assist—
24	"(I) in the development of the
25	Plan; and

1	"(II) the Secretary in deter-
2	mining whether a proposed water re-
3	sources project would have a direct
4	and adverse effect on the values for
5	which the segments designated by
6	subparagraph (B) were included in
7	the National Wild and Scenic Rivers
8	System.
9	"(ii) Composition.—The Council
10	shall be composed of a representative of
11	each of—
12	"(I) the Department of the Inte-
13	rior (represented by the Director of
14	the National Park Service or a des-
15	ignee);
16	"(II) the East Central Florida
17	Regional Planning Council;
18	"(III) the Department of Envi-
19	ronmental Protection of the State of
20	Florida, Division of Recreation and
21	Parks;
22	"(IV) the Department of Envi-
23	ronmental Protection of the State of
24	Florida, Wekiva River Aquatic Pre-
25	serve;

1	"(V) the Division of Forestry of
2	the Department of Agriculture and
3	Consumer Services of the State of
4	Florida;
5	"(VI) the Florida Audubon Soci-
6	ety;
7	"(VII) the nonprofit organization
8	known as Friends of the Wekiva, In-
9	corporated;
10	"(VIII) the Lake County Water
11	Authority;
12	"(IX) Lake County;
13	"(X) Orange County;
14	"(XI) Seminole County;
15	"(XII) the St. Johns River Water
16	Management District;
17	"(XIII) the Fish and Wildlife
18	Conservation Commission of the State
19	of Florida;
20	"(XIV) the city of Altamonte
21	Springs, Florida;
22	"(XV) the city of Longwood,
23	Florida;
24	"(XVI) the city of Apopka, Flor-
25	ida;

1	"(XVII) the city of Mt. Plym-
2	outh, Florida;
3	"(XVIII) the Florida Farm Bu-
4	reau Federation;
5	"(XIX) the Florida Forestry As-
6	sociation;
7	"(XX) the Lake County Chamber
8	of Commerce;
9	"(XXI) the Orange County
10	Chamber of Commerce;
11	"(XXII) the Seminole County
12	Chamber of Commerce; and
13	"(XXIII) any other interested
14	party, by request to the Secretary and
15	with unanimous consent of the mem-
16	bers of the Council.
17	"(iii) Appointment of members.—
18	One representative and 1 alternate shall be
19	appointed from each member agency, agen-
20	cy division, or organization as follows:
21	"(I) State agency representative,
22	by the head of the State agency.
23	"(II) Local government rep-
24	resentatives, by the respective gov-

1	erning bodies of the local govern-
2	ments.
3	"(III) Water management dis-
4	trict, by its Governing Board.
5	"(IV) Department of the Interior
6	representative, by the Secretary, act-
7	ing through the Southeast Regional
8	Director of the National Park Service
9	"(V) East Central Florida Re-
10	gional Planning Council, by its Gov-
11	erning Board.
12	"(VI) Other entities and organi-
13	zations, by the respective governing
14	bodies of the entities and organiza-
15	tions.
16	"(iv) Votes.—Each member agency,
17	governmental entity, or organization shall
18	have 1 vote.
19	"(v) Additional procedures.—The
20	Council shall develop and submit for the
21	approval of the Secretary any additional
22	procedures required to carry out the busi-
23	ness of the Council as part of the Plan.
24	"(vi) Frequency of meetings.—
25	The Council shall meet at the call of the

1	Florida Department of Environmental Pro-
2	tection and the St. Johns River Water
3	Management District, in consultation with
4	the Secretary.
5	"(vii) ADVISORY ROLE.—The
6	Council—
7	"(I) shall serve the Secretary
8	only in an advisory capacity; and
9	"(II) shall not have regulatory or
10	land acquisition authority.
11	"(E) Management.—
12	"(i) Federal role.—
13	"(I) IN GENERAL.—The Sec-
14	retary, in accordance with sections
15	10(e) and 11(b)(1), shall enter into
16	written cooperative agreements with
17	the State of Florida and may enter
18	into written cooperative agreements
19	with appropriate local political juris-
20	dictions, interested landowners, and
21	private organizations and individuals,
22	to provide for the long-term protec-
23	tion, preservation, and enhancement
24	of the river segments designated by
25	subparagraph (B).

1	"(II) Comprehensive manage-
2	MENT PLAN.—The Secretary, in con-
3	sultation with the Department of En-
4	vironmental Protection of the State of
5	Florida, the St. Johns River Water
6	Management District, and the Coun-
7	cil, shall develop a comprehensive
8	management plan for the river seg-
9	ments designated by subparagraph
10	(B).
11	"(III) Support.—The Secretary
12	may provide technical assistance, staff
13	support, and funding to assist in the
14	development and implementation of
15	the Plan.
16	"(IV) REVIEW AND REPORT.—
17	The Secretary, in consultation with
18	the Department of Environmental
19	Protection of the State of Florida, the
20	St. Johns River Water Management
21	District, and the Council, shall bienni-
22	ally review, and revise as necessary,
23	the Plan.
24	"(V) Report.—After each bien-
25	nial review described in subclause

1	(IV), the Secretary shall submit to the
2	Council on Resources of the House of
3	Representatives and the Council on
4	Energy and Natural Resources of the
5	Senate a report describing any devi-
6	ation from the Plan that could result
7	in any diminution of the values for
8	which a river segment was designated
9	by subparagraph (B).
10	"(ii) No administration.—Imple-
11	mentation of this paragraph through coop-
12	erative agreements as described in clause
13	(i)(I) shall not—
14	"(I) constitute or authorize Na-
15	tional Park Service administration of
16	the segments designated by subpara-
17	graph (B) for purposes of subsection
18	(d) or section 10(c); and
19	"(II) shall not cause any segment
20	designated by subparagraph (B) to be
21	considered a unit of the National
22	Park System.
23	"(F) EFFECT OF DESIGNATION.—With re-
24	spect to the river segments designated as com-
25	ponents of the National Wild and Scenic Rivers

1	System under this paragraph, nothing in this
2	paragraph—
3	"(i) imposes or authorizes the adop-
4	tion of additional or more restrictive regu-
5	latory requirements;
6	"(ii) authorizes the denial of a permit
7	or the imposition of additional permit con-
8	ditions; or
9	"(iii) authorizes any governmental
10	agency to reduce or restrict the rights of
11	the owners of uplands adjacent to the des-
12	ignated river segments.
13	"(G) Authorization of Appropria-
14	TIONS.—There are authorized to be appro-
15	priated such sums as are necessary to carry out
16	this paragraph.".

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